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ATTORNEYS FOR ALL PLAINTIFFS

UNITED STATES DISTRICT COURT

**NORTHERN DISTRICT OF CALIFORNIA, SAN FRANCISCO/OAKLAND
DIVISION**

JANE ROE, an individual; MARY ROE,
an individual; SUSAN ROE, an
individual; JOHN ROE, an individual;
BARBARA ROE, an individual;
PHOENIX HOTEL SF, LLC, a
California limited liability company;
FUNKY FUN, LLC, a California limited
liability company; and 2930 EL
CAMINO, LLC, a California limited
liability company,

Plaintiffs,

v.

CITY AND COUNTY OF SAN
FRANCISCO, a California public entity,

Defendants.

Case No. 4:24-cv-01562-JST

JOINT LETTER BRIEF

**ASSIGNED FOR ALL PURPOSES TO
THE HONORABLE DISTRICT JUDGE
JON S. TIGAR, COURTROOM 6**

Action Filed: 03/14/2024
Trial Date: Unassigned

Pursuant to the Court's January 22, 2025 Order (ECF No. 80), Plaintiffs Jane Roe, et al (hereafter "Plaintiffs") and Defendant City and County of San Francisco (the "City") jointly file this letter brief.

A. Subpoenas for Mary and Susan Roe's Medical Records

Plaintiffs received notice of two sets of subpoenas for Susan and Mary Roe's medical providers, the Plaintiffs bringing claims under the Americans with Disability Act ("ADA"). The parties reached a stipulated agreement to limit the scope of the subpoena attached as **Exhibit A**. This dispute is fully resolved.

B. Requests for Productions, Set One

Plaintiffs served their First Set of Requests for Production on Defendant on November 5, 2024 – all of which related to shelters operated by the City (the COVA, Adante, Monarch, and 685 Ellis). The City served its response and objections on December 5, 2024. The parties engaged in meet and confer efforts beginning on December 6 that are currently ongoing.

The parties had reached impasses on the following issues: 1) whether Plaintiff is entitled to documents related to affirmative conduct alleged to have occurred at any shelter other than COVA; 2) whether Plaintiffs' discovery requests can extend beyond two years prior to the date the complaint was filed (March 14, 2024).

The parties have reached the followings agreements regarding the above two issues: 1) The City is willing to produce any contracts and database reports (such as 311, DEM and SFPD databases) regarding the Adante, Monarch, and 685 Ellis; 2) the parties agree to limit custodial searches and non-custodial document searches to three years from the date the complaint was filed; 3) the parties agree to limit searches of database records (such as 311, DEM and SFPD databases) to five years from the date the complaint was filed; 4) any policies or agreements that are in place during the relevant time frame will be produced irrespective of the date the policy or agreement first come into place; 5) in principle, the City agrees to conduct a search for custodial and non-custodial records for documents or conduct in Adante, Monarch,

1 and 685 Ellis pending meet and confer efforts regarding the search terms and
2 parameters of the search.

3 The parties have identified the following departments to which a search for
4 responsive documents will be conducted, specific to certain requests: Department of
5 Public Health, San Francisco Police Department, Department of Emergency
6 Response, and Homelessness and Supportive Housing Services. The parties continue
7 to meet and confer regarding the custodians and search terms that will be utilized in
8 a search.

9 The parties request an Informal Discovery Conference be scheduled three
10 weeks from the date of the filing of this letter brief. So that should the parties
11 develop an impasse regarding the number of custodians, search terms or scope of the
12 search, the Court may address the potential disputes at that time.

13 Dated: February 7, 2025 WALKUP, MELODIA, KELLY & SCHOENBERGER

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15 By: **/s/ Ashcon Minoiefar

16 MICHAEL A. KELLY
17 RICHARD H. SCHOENBERGER
18 MATTHEW D. DAVIS
19 ASHCON MINOIEFAR
Attorneys for ALL PLAINTIFFS

20 Dated: February 7, 2025 DEPUTY CITY ATTORNEYS

21
22 By: /s/ Kaitlyn Murphy

23 KAITLYN M. MURPHY
24 Attorneys for Defendant CITY AND
COUNTY OF SAN FRANCISCO

25 *** Pursuant to Civil L.R. 5-1(i)(3), the*
26 *electronic signatory has obtained approval*
27 *from this signatory.*
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